UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/392
7 April 1999
ENGLISH
ORIGINAL: RUSSIAN

LETTER DATED 6 APRIL 1999 FROM THE PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith the text of a decision on further measures to settle the conflict in Abkhazia, Georgia, adopted in Moscow on 2 April 1999 by the Council of Heads of State of the Commonwealth of Independent States (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Sergey LAVROV
Permanent Representative of the
Russian Federation to the United Nations

99-09984 (E) 080499 080499

Annex

Decision on further measures to settle the conflict in Abkhazia, Georgia

The Council of Heads of State of the Commonwealth of Independent States,

Stressing their steadfast commitment to the sovereignty and territorial integrity of Georgia,

Reaffirming their previous decisions on the achievement of a comprehensive political settlement in Abkhazia, Georgia, in particular the decision of 19 January 1996 on measures to settle the conflict in Abkhazia, Georgia, the decision of 28 March 1997 to expand the peacekeeping operation in the conflict zone in Abkhazia, Georgia, the decision of 28 March 1997 on progress towards a settlement of the conflict in Abkhazia, Georgia, and the decision of 28 April 1998 on additional measures for the settlement of the conflict in Abkhazia, Georgia, and emphasizing the need for their strict implementation,

Stressing the importance of the Geneva and Athens meetings of the Georgian and Abkhaz parties to the conflict, with the participation of representatives of the Russian Federation in its capacity as facilitator, the Organization for Security and Cooperation in Europe and the States members of the group of Friends of the Secretary-General of the United Nations,

Noting the active role of the United Nations in the efforts to settle the conflict in Abkhazia, Georgia, and emphasizing the need to strengthen that role,

Recognizing the importance of the role of the Collective Peacekeeping Forces and the United Nations Observer Mission in Georgia in creating peaceful conditions conducive to talks between the sides with a view to advancing the settlement process,

Sharing the concern expressed by the United Nations Security Council that the sides have not signed the agreement on peace and guarantees for the prevention of armed confrontation and the protocol on the return of refugees to Gali district and measures for economic rehabilitation and supporting the recommendation that the sides resume bilateral talks to this end,

Affirming the immutable right of refugees and displaced persons to return to and reside in their places of origin in Abkhazia, Georgia,

Has decided:

1. To take note of the information provided by the Executive Secretariat of the Commonwealth of Independent States on the implementation of the decision of 28 April 1998 of the Council of Heads of State of the Commonwealth on additional measures for the settlement of the conflict in Abkhazia, Georgia.

2. States members of the Commonwealth shall continue to give their full support for the sovereignty and territorial integrity of Georgia with a view to

ensuring the speedy achievement by the sides of a comprehensive political settlement of the conflict in Abkhazia, Georgia, and the return of refugees and displaced persons to their former places of permanent residence.

3. To call on the States members of the Commonwealth of Independent States to consider favourably and make specific proposals concerning the appeal sent on 13 February 1999 by Mr. Boris N. Yeltsin, Chairman of the Council of Heads of State of the Commonwealth and President of the Russian Federation, to the heads of the States members of the Commonwealth who signed the 1994 decision of the Council of Heads of State on the use of the Collective Peacekeeping Forces in the Georgian-Abkhaz conflict zone, as well as subsequent decisions on a settlement of the conflict in Abkhazia, Georgia, regarding the assignment to the Collective Peacekeeping Forces of military contingents or observers, or other possible forms of participation in the Commonwealth's peacekeeping operations in Abkhazia, Georgia.

4. The heads of foreign policy and military departments of the States members of the Commonwealth, to whom the appeal referred to in paragraph 3 above was addressed, shall hold consultations with a view to reaching agreement on possible ways of ensuring those States' real participation in the continuation of the peacekeeping operation together with the Russian Federation, bearing in mind that the established strength of the Collective Peacekeeping Forces is 3,000.

5. The sides shall, within one month, finalize the draft agreement on peace and guarantees for the prevention of armed confrontation and the draft protocol on the return of refugees to Gali district and measures for economic rehabilitation, and shall sign those documents.

6. To agree in principle with the proposal to extend the length of stay of the Collective Peacekeeping Forces in the conflict zone in Abkhazia, Georgia, for six months or until one of the parties to the conflict expresses its wish that the operation should be terminated. A decision to this effect shall enter into force following the signing of the documents mentioned in paragraph 5. However, if the sides do not reach agreement within the designated time limit, consideration shall be given to the advisability of the continued presence of the Collective Peacekeeping Forces of the Commonwealth of Independent States in the conflict zone.

To confirm the mandate of the Collective Peacekeeping Forces of the Commonwealth of Independent States until 2 April 1999.

7. To ensure the implementation of the measures provided for in the decisions of the Council of Heads of State of the Commonwealth of 28 March 1997 and 1998 with regard to the broadening of the security zone and the redeployment of the Collective Peacekeeping Forces on the basis of the mechanism developed by the parties to the conflict.

8. To consider unacceptable any delays in the process of the organized return of refugees and displaced persons to all parts of Abkhazia, Georgia, primarily to Gali district (within its old borders) in conditions of safety.

To urge the Abkhaz side to return to this question, consider it and resolve it in a positive manner.

In the case of opposition to the return of refugees, or a threat to peace and security in the region, to consider making appropriate changes in the nature and content of the peacekeeping operation on the basis of the provisions of the Charter of the United Nations that apply in such circumstances.

9. To urge the parties to the conflict to resolve the question of the establishment, during the phase involving the return of refugees and complete normalization of life in Gali district (within its old borders), of temporary transitional administrations that would work with the direct participation of the mediators, the United Nations and the Organization for Security and Cooperation in Europe.

10. Measures for the economic rehabilitation of the region should be taken only in direct association with the process of the steady and organized return of refugees and displaced persons.

11. To instruct the Council of Ministers for Foreign Affairs and the Council of Ministers of Defence of the States members of the Commonwealth of Independent States, with a view to ensuring their coordinating role in the implementation of the decisions of the Council of Heads of State of the Commonwealth concerning a settlement of the conflict in Abkhazia, Georgia, to establish, prior to 1 July 1999, a task force composed of representatives of interested States members of the Commonwealth of Independent States, the Executive Secretariat and the Headquarters for Coordinating Military Cooperation among the States Members of the Commonwealth. The Executive Secretariat of the Commonwealth shall be responsible for the implementation of the aforementioned instruction, including the drafting of a provision concerning the task force.

12. The Council of Ministers of Defence shall, through its working body, the Headquarters for Coordinating Military Cooperation among the States Members of the Commonwealth of Independent States, be responsible for the efficient and effective management of the military aspects of the peacekeeping operation in the conflict zone.

13. To instruct the Executive Secretariat of the Commonwealth of Independent States to send a letter to the United Nations Secretariat with a request that it consider the question of including representatives of interested States members of the Commonwealth in the United Nations Observer Mission in Georgia.

14. To instruct the Council of Ministers for Foreign Affairs and the Council of Ministers of Defence of the States members of the Commonwealth, with the participation of the Commonwealth's Executive Secretariat and the Headquarters for Coordinating Military Cooperation among the States Members of the Commonwealth, to monitor the implementation of this decision.

15. To inform the United Nations Security Council of this decision of the Council of Heads of State of the Commonwealth.

Done at Moscow on 2 April 1999 in one original copy in the Russian language. The original copy shall be deposited with the Executive Secretariat of the Commonwealth of Independent States, which shall send a certified copy to each State that signed this decision.

For the Republic of Armenia:
(Signed) R. KOCHARIAN

For the Azerbaijani Republic:
(Signed) H. ALIYEV

For the Republic of Belarus:

For Georgia:
(Signed) E. SHEVARDNADZE

For the Republic of Kazakhstan:
(Signed) N. NAZARBAEV

For the Kyrgyz Republic:
(Signed) A. AKAEV

For the Republic of Moldova:

For the Russian Federation:
(Signed) B. N. YELTSIN

For the Republic of Tajikistan:
(Signed) E. RAKHMONOV

For Turkmenistan:

For Ukraine:
(Signed) L. KUCHMA

For the Republic of Uzbekistan:
(Signed) I. KARIMOV